

Dear Education Committee Members,

As Superintendent of Schools in Weston I support House Bill #5425 which seeks to amend Section 3d, subdivision (1), subsection (d) of statute 10-76h of the general statutes. In state after state, across the U.S., the standard exists whereby the burden of proof defaults to the party requesting the hearing. However, this is not the case in CT, where the State Department of Education Regulation does not require the party requesting the hearing to bear the burden of proof. This regulation has set up a system where parents and their attorneys can, in effect, claim: "School District, I charge you with my claim of educational malfeasance against my child. Now, prove yourself innocent." Here in Weston, we have experienced costs for long hearings that have lasted as long as 2 weeks. The costs are exorbitant, sometimes well over \$50,000. Rather than absorb this cost, we have chosen to pay a settlement of \$25,000 for outplacement when we feel we could provide the educational services within the district. It has become very easy for parents to make accusations against the Weston Public Schools that then forces the district to prove its innocence, instead of requiring the accusing party to bear the burden of proof.

I urge the Education Committee Members to remedy this situation and reporting favorably to enact Raised House Bill #5425. The burden of proof ought to lie with the party initiating a legal action.

Sincerely,

Jerome R. Belair, Superintendent
Weston Public Schools
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